

THE HONORABLE JAMES L. ROBART

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SEAGEN INC.,

Petitioner,

v.

DAIICHI SANKYO CO., LTD.,

Respondent.

No. 2:22-cv-01613-JLR

**SEAGEN'S RESPONSE TO COURT'S
DECEMBER 5, 2023 ORDER**

Pursuant to the Court's December 5, 2023 Order (Dkt. 83), Petitioner Seagen Inc. ("Seagen") and Respondent Daiichi Sankyo Company, Limited ("DSC") met and conferred regarding a briefing schedule for Seagen's second petition to vacate the award entered in the arbitration between the parties (Dkt. 78).

During the meet and confer process, DSC indicated it planned to file a motion to confirm the final arbitration award and sought a schedule where both the motion to vacate and the motion to confirm would be briefed together. Given DSC's plans to file a motion to confirm in this case, Seagen asked DSC to agree that it would not contest that it has been served with the petition to vacate, thus mooting Seagen's pending service motion. (Dkt. 84.) DSC would not agree. DSC also insisted that its proposed schedule would permit DSC in its last brief to address issues

1 relating to the motion to vacate, thus giving it an unauthorized surreply. As a result, the parties
 2 could not agree.

3 Because DSC has yet to file a motion to confirm, Seagen now proposes a schedule only
 4 for the motion to vacate, which is attached hereto as Exhibit A. If DSC files for confirmation,
 5 Seagen is willing to meet and confer on a schedule for that motion as the Court directs.

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